

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
September 8, 2013

Closed Session: yes

Call to Order: Meeting was called to order at: 9:03 a.m.

Opening Ceremony: Arlene Naganashe

Council Present: Legislative Leader Regina Gasco Bentley, Secretary Julia A. Shananaquet, Treasurer Marcella R. Reyes, Bill A. Denemy, John Keshick III, Beatrice A. Law, Michael J. Naganashe, Aaron W. Otto, Winnay J. Wemigwase

Absent: none

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele LaCount, Treasury Director Michael Garrow

Executive Officials and Staff Present: Tribal Chairman Fred Kiogima, Vice-Chair Debbie DeLeon, Human Resource Denise Petoskey, Planning Director Bryan Gillett

Judicial Branch: Judge Maldonado

Public: Annette VanDeCar, Merle Carson, Andrew Stich, Jake Boyd, Alice Hughes, Janice Shackelford, Yvonne McShane, Lewis Keller, Jim Naganashe, Arlene Naganashe, Carol Quinones, Tara Otto-Brill, Steven Otto, Rebeca Otto, Nancy Deckinga, John Deckinga, John Kawegoma

Invited Guests: Sovereign Finance via conference call; Odawa Fishery Manager: Susan VanDeuner; Odawa Casino Resort: General Manager Dave Wolf, Finance Director Roger Borton

Motion made by Councilor Law and supported by Councilor Keshick to adopt the agenda for September 8, 2013 as presented in honor of Sarah VanDeCar.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

9:09 a.m. Recess called.

Honor drum and Oath of Office for Aaron Otto.

9:52 a.m. Meeting Reconvened.

9:53 a.m. Elder Comments: no comments.

TRIBAL COUNCIL OFFICER ELECTIONS

Legislative Leader:

Legislative Leader Gasco Bentley stated interest to continue to serve as Legislative Leader. Councilor Denemy supported.

Councilor Keshick nominate -Councilor Shananaquet serve as Legislative Leader however Councilor Shananaquet declined and supported Legislative Leader Gasco Bentley. Councilor Law said she supports Legislative Leader Gasco Bentley as well.

Councilor Naganashe nominated Councilor Otto to serve as Legislative Leader. Councilor Keshick supported.

Legislative Leader Gasco Bentley voted by Tribal Council to continue to serve as Legislative Leader by a vote of: 8-1.

Tribal Secretary:

Councilor Shananaquet voted by Tribal Council to serve as Tribal Secretary: no vote needed as there was no other interested party.

Tribal Treasurer:

Councilor Law nominated herself.

Councilor Otto nominated Councilor Denemy who declined.

Councilor Naganashe nominated Marcella Reyes, Councilor Keshick supported.

Councilor Reyes voted as Tribal Treasurer by a vote of 6-3.

Judge Maldonado provided Tribal Council an overview of the Tribal Court System.

Motion made by Councilor Law and supported by Councilor Wemigwase to acknowledge receipt of the Judicial Branch Year End FY-2012 and the 2013 3rd Quarter Report, including an overview of how the Tribal Court serves the Citizens as presented by Chief Judge Maldonado.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

11:18 a.m. Recess called.

11:31 a.m. Meeting reconvened.

Elder comments:

John Kawegoma spoke regarding with concern regarding Tribal Council Committee assignments being Tribal Council members only. John indicated the Ethics Committee should not be a committee of Tribal Council but rather all Tribal members.

Jake Boyd and James Kline spoke regarding ideas for manufacturing retail.

John Kawegoma said we need a committee set up to deal with additional laws regarding corrupt government employees and elected officials including embezzlement issues.

11:47 a.m. Public Comment:

Merle Carson congratulated the new Tribal Council and spoke regarding Jake Boyd as a previous Security employee of the Casino and the problems with the FLMA paperwork not being filed by Human Resources a timely manner therefore he lost his job rather than the Tribe helping him as this is what we are here for. Merle would like to see Jake be able to receive assistance from on a Tribal attorney to get help with outside agencies. Merle further spoke regarding unfair standard of practices across the board between employer and employees and wanted to know why as a Tribe we do not allow our people the time to heal and return to their jobs.

John Kawegoma also spoke regarding Jake Boyd's issues still being an ongoing problem as well as a Tribal Citizen government employee terminated because their surgery was scheduled too far out due to Contract Health issues and now Contract Health must pay for all of this since she no longer has her job insurance. John also spoke regarding his termination from the Tribal Government due to illness. John wanted to know when we are going to start treating our people with respect and shame on us for not doing so.

12:10 p.m. Public Comment closed.

12:15 p.m. Lunch recess called.

1:31 p.m. Meeting reconvened.

1:30 p.m. Motion made by Councilor Keshick and supported by Councilor Otto to go into closed session for confidential business matters.

Vote: 8 - Yes, 1 - No (Councilor Law), 0 - Abstained, 0 - Absent

Motion carried.

2:30 p.m. Motion made by Councilor Law and supported by Treasurer Reyes to return to open session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

2:31 p.m. Recess called.

2:47 p.m. Meeting reconvened.

Motion made by Councilor Otto and supported by Councilor Law to appoint Councilor Denemy and Secretary Shananaquet to the Appropriations and Finance Committee, to appoint Councilor Naganashe and Councilor Otto to the Gaming Authority Committee, to appoint Legislative Leader Gasco Bentley and Councilor Naganashe to the Land and Reservation Committee, to appoint Councilor Law, Secretary Shananaquet, and Legislative Leader Gasco Bentley to the Legal and Legislative Committee, to appoint Councilor Naganashe, Treasurer Reyes and Councilor Otto to the Ethics Committee, to appoint Councilor Keshick, Treasurer Reyes and Secretary Shananaquet to the Ad-Hoc Agricultural Assessment Work Group, and to appoint Councilor Wemigwase and Secretary Shananaquet to the Ad-Hoc Violence Against Woman Act/Tribal Law and Order Act Committee.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

3:31 p.m. Motion made by Councilor Otto and supported by Councilor Law to go into closed session for personnel.

3:56 p.m. Motion made by Councilor Law and supported by Treasurer Reyes to return to open session.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

3:57 p.m. Recess called.

4:10 p.m. Meeting reconvened.

Motion made by Councilor Law and supported by Councilor Wemigwase to acknowledge receipt of Tribal Chairman Kiogima and Vice-Chair DeLeon's verbal Executive oversight report for September 8, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Odawa Fishery, Inc. provided an overview verbal report.

5:37 p.m. Recess called.

5:51 p.m. Meeting reconvened.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to accept Legislative Services Attorney Budnick verbal and written report for September 8, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to accept Treasury Director Garrow's written report for September 8, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Law and supported by Secretary Shananaquet to accept Legislative Office Manager LaCount's verbal and written report for September 8, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to acknowledge receipt of the written Enjinaaknegeng report for September 8, 2013.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Otto and supported by Councilor Law to approve Certified Motion Affirming Approval of Odawa Economic Development Management, Inc., Lease.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to authorize general counsel, James A. Bransky, to sign a settlement stipulation in the case of Little Traverse Bay Bands of Odawa Indians v. Department of the Interior, U.S. Civilian Board of Contract Appeals Case 3342-ISDA."

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Keshick and supported by Councilor Denemy to amend the agenda to include Certified Motion to continue the ad-hoc Agricultural Assessment Work Group.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Wemigwase and supported by Treasurer Reyes to approve the minutes of August 18, 2013 as corrected.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Wemigwase to approve Enrollment List A – Eligible for Citizenship dated August 22, 2013 for a total of 10.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Law to approve Enrollment List B – Declination (Ineligible) dated August 22, 2013 for a total of 01.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Wemigwase and supported by Councilor Naganashe to approve Certified Motion: Funding from the United States Department of Agriculture (USDA) Food and Nutrition Services Little Traverse Bay Bands of Odawa Indians Food Distribution Program on Indian Reservations (FDPIR)

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Keshick to approve a Trap net Operation Lease and Use Agreement between Vernon W. Seymour and Little Traverse Bay Bands of Odawa Indians.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Denemy and supported by Councilor Law to accept the nomination of Joan T. Jacobs for a 3-year term on the Child Welfare Commission and set up an interview.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to approve the nomination of Fred Kiogima as the Little Traverse Bay Bands of Odawa Indians representative for National Congress of American Indians until his term of Tribal Chairman has expired.

Vote: 7 - Yes, 2 – No (Secretary Shananaquet, Councilor Otto), 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Law and supported by Councilor Wemigwase to add to the Legislative Calendar the Gaming Enterprise Board draft Statute.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve Certified Motion to Continue the Ad-hoc Agricultural Assessment Work-group.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Motion made by Councilor Denemy and supported by Treasurer Reyes to table discussion regarding the 2014 Tribal Council work session and meeting schedule.

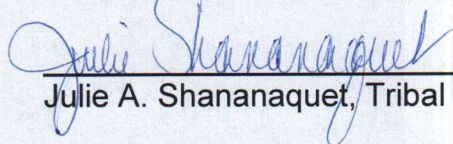
Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

7:15 p.m. Motion made by Councilor Wemigwase and supported by Councilor Naganashe to adjourn.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Motion carried.

Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-1406 for additional updates and clarifications of these minutes as presented.

These Minutes have been read and approved as corrected:


Julie A. Shananaquet, Tribal Council Secretary

9-22-13
Date

